

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 9-7-2010

AURELIUS CAPITAL PARTNERS, LP and
AURELIUS CAPITAL MASTER, LTD.,

Plaintiffs,

- against -

THE REPUBLIC OF ARGENTINA,

Defendant.

07 Civ. 2715 (TPG)
07 Civ. 11327 (TPG)

ORDER

BLUE ANGEL CAPITAL I LLC,

Plaintiff,

- against -

THE REPUBLIC OF ARGENTINA.

Defendant.

07 Civ. 2693 (TPG)

On May 29, 2009, this court held the Republic of Argentina (“Republic”) in civil contempt for its failure to comply with the court’s opinion dated April 3, 2009, and the court’s discovery orders dated April 17, 2009 and May 6, 2009. As a sanction, this court drew adverse inferences that the Republic undertook specified transactions to remove funds improperly from the United States in violation of the court’s orders. This court did not impose monetary sanctions but reserved the possibility for a later date.

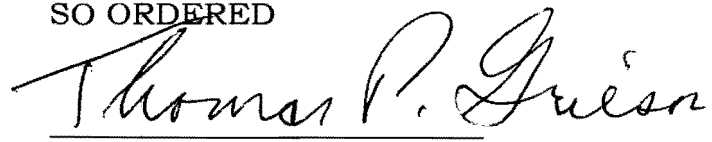
On October 15, 2009, the Second Circuit reversed this court's orders of attachment and execution entered on December 11, 2008 of Argentine social security funds transferred to the Administracion Nacional de Seguridad Social ("ANSES"). Aurelius Capital Partners, LP v. Republic of Argentina, 584 F.3d 120 (2d Cir. 2009). In light of the vacation of the underlying orders of restraint and attachment, on May 28, 2010, the Second Circuit vacated as moot this court's May 29, 2009 civil contempt order. Aurelius Capital Partners, LP v. Republic of Argentina, 2010 U.S. App. LEXIS 10975, at *1 (2d Cir. May 28, 2010).

Plaintiff had moved in the above-captioned action to renew their pending request for the imposition of monetary sanctions for civil contempt against the Republic and for an award of attorneys' fees incurred in prosecuting their motion for sanctions. However, because the civil contempt order is moot, this motion to impose monetary sanctions based on that civil contempt order is therefore denied as moot.

This order resolves the motion listed as document numbers 230 and 232 in this case.

Dated: New York, New York
September 3, 2010

SO ORDERED



Thomas P. Griesa
U.S.D.J.